

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

CASE NO. 1:20-cr-183

v.

HON. ROBERT J. JONKER

ADAM DEAN FOX,
BARRY GORDON CROFT, JR.,
KALEB JAMES FRANKS,
DANIEL JOSEPH HARRIS and
BRANDON MICHAEL-RAY CASERTA,

Defendants.

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ORDER

Counsel for defendant Fox has asked the Court to schedule a Rule 17.1 pretrial conference. The purpose of the conference would be to address trial presentation logistics, including issues related to recordings and related transcripts. The Court would normally address issues like this as part of the Final Pretrial Conference (FPTC) already scheduled for September 23, but in this case, the Court sees value to an additional Rule 17.1 conference to make the FPTC itself as productive as possible.

Accordingly, the Motion to schedule a Rule 17.1 conference is **GRANTED**. The conference will take place in open Court before the undersigned beginning at **10:00 a.m. on September 14, 2021** at 699 Ford Federal Building, 110 Michigan, NW, Grand Rapids, MI.

The Court anticipates non-substantive discussion only at the Rule 17.1 conference. Of course, the parties can and should flag issues that will need to be addressed and resolved at the FPTC

itself, but there will be no substantive argument or rulings at the conference on any such issues; just discussion of logistical and other non-substantive matters. Only the presence of counsel is necessary and appropriate for such a conference. The presence of defendants is not required or anticipated. *See United States v. Ushery*, 785 F.3d 210, 222-23 (6th Cir. 2015). *See also United States v. McChesney*, 871 F.3d 801, 808-09 (9th Cir. 2017); *United States v. Astacio-Espino*, 748 F. Supp. 2d 131 (D. Puerto Rico 2010). If any party objects to proceeding in this fashion, the party must file the objection not later than September 9, 2021.

IT IS SO ORDERED.

Date: September 3, 2021

/s/ Robert J. Jonker
ROBERT J. JONKER
CHIEF UNITED STATES DISTRICT JUDGE